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Human Rights Council
Twenty-sixth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

26/21 Promotion of the right of migrants to the enjoyment of the highest attainable standard of physical and mental health

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the Vienna Convention on Consular Relations, the Convention on the Rights of Persons with Disabilities and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Recalling also previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the protection of the human rights of migrants, the relevant resolutions of the World Health Assembly, in particular its resolution 61.17 of 24 May 2008, and the work of the various special mechanisms of the Council that have reported on the situation of the human rights and fundamental freedoms of migrants,

Reaffirming that the Universal Declaration of Human Rights proclaims that everyone has the right to freedom of movement and residence within the borders of each State and the right to leave any country, including his or her own, and to return to his or her country,

Reaffirming also that everyone is entitled to all human rights and fundamental freedoms, without distinction of any kind, wherever the person is and regardless of his or her immigration status,

Recognizing that States are responsible for promoting and protecting the human rights of all persons, including irregular migrants, who are in their territory and subject to their jurisdiction,

Deeply concerned at the large and growing number of migrants, including women and children, who have lost their lives or have been injured in attempting to cross international borders, including those without the required travel documents, and recognizing the obligation of States to protect and respect the human rights of those crossing their borders, regardless of their immigration status,

Bearing in mind that policies and initiatives on the issue of migration, including those that refer to border control and the orderly management of migration, must be in accordance with international human rights obligations in order to uphold the human rights and fundamental freedoms of all migrants,

Expressing its concern at measures that, including in the context of policies aimed at reducing irregular migration, treat irregular migration as a criminal rather than an administrative offence, where the effect of doing so is to deny migrants the full enjoyment of their human rights and fundamental freedoms,

Reaffirming that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health is a human right, as reflected in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child, as well as, with respect to non-discrimination, in the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities,

Reaffirming also the need to continue to pursue adequate and sustainable health financing to promote the progressive realization of the right to the enjoyment of the highest attainable standard of physical and mental health, and the importance in this regard of national resource mobilization and international cooperation,

Welcoming the important results of the second High-level Dialogue on International Migration and Development, held on 3 and 4 October 2013,

Reaffirming the Declaration of the High-Level Dialogue on International Migration and Development, adopted by the General Assembly at its sixty-eighth session,[1] which acknowledges the important contribution of migration in realizing the Millennium Development Goals and recognizes that human mobility is a key factor for sustainable development, which should receive due consideration in the elaboration of the post-2015 development agenda,

Taking note of the seventh Global Forum on Migration and Development, which highlighted that migrants' access to basic services, including health services, is one way to ensure that migrants are not excluded from the goals that will be articulated by the international community for the post-2015 development agenda, and emphasized the importance of facilitating access to regular forms of migration and, where applicable, to social services, including health goods, services and conditions, that contribute to the prosperity of countries of origin, transit and destination and to the strengthening of the

[1] General Assembly resolution 68/4.

empowerment and personal development prospects and outcomes for migrants and their families,

Acknowledging the important role that migrants play as partners in the development of origin, transit and destination countries, and recognizing the need to improve public perceptions of migrants and migration,

Noting the observation made by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, in his report submitted to the Human Rights Council at its twenty-third session,[2] that States should adopt and implement an effective national health policy that does not discriminate against non-nationals and that addresses the needs of irregular and regular migrants, at all stages of the migration process, and that States should ensure the availability and accessibility of quality health facilities, goods and services, including existing health insurance schemes, to migrants, on the basis of equality with other nationals,

Mindful of the fact that, in the fulfilment of their obligations to protect human rights, States of origin, transit and destination can benefit from schemes of international cooperation,

Mindful also that migrant access to health services may help to mitigate the risk of widening inequalities, and recognizing that health contributes to the full enjoyment of human rights,

1. *Takes note with appreciation* of the report of the Special Rapporteur on the human rights of migrants,[3] invites States to give due consideration to the recommendations contained therein, and welcomes his work;

2. *Calls upon* States that have not yet done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority, and requests the Secretary-General to continue his efforts to promote and raise awareness of the Convention;

3. *Reaffirms* the duty of States to effectively promote and protect the human rights and fundamental freedoms of all migrants, especially those of women and children, regardless of their immigration status, in conformity with the Universal Declaration of Human Rights and the international instruments to which they are party;

4. *Stresses* that the enjoyment of the highest attainable standard of physical and mental health contributes to the full enjoyment of human rights;

5. *Calls upon* States to promote and protect the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, as reflected in the Universal Declaration of Human Rights and the International Covenant of Economic, Social and Cultural Rights, and encourages them to promote equitable access to health services, disease prevention and care for migrants, subject to national laws and practice, without discrimination of any kind;

6. *Expresses concern* at legislation and measures adopted by some States that may restrict the human rights and fundamental freedoms of migrants, including the enjoyment of the highest attainable standard of physical and mental health;

7. *Reaffirms* that, when exercising their sovereign right to enact and implement migration and border security measures, States have the duty to comply with their

[2] A/HRC/23/41.
[3] A/HRC/26/35.

obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

8. *Calls upon* all States to ensure that their immigration policies are consistent with their obligations under international human rights law, and to promote the enjoyment of human rights by all migrants without discrimination, including by taking steps:

(*a*) To promote and protect the right of all persons to the highest attainable standard of physical and mental health without discrimination of any kind and, to this end, to provide emergency medical and first-aid attention for migrants who need it, regardless of their immigration status, and to create a safe and enabling environment in which individuals and organizations that provide such attention can operate free from hindrance and insecurity;

(*b*) To promote access to health services for everyone and migrant-sensitive health policies, including by taking into account physical, financial, cultural and linguistic barriers that may contribute to furthering inequalities;

(*c*) To the effect that domestic law and administrative provisions and their application facilitate the work of medical personnel and staff, humanitarian workers, human rights defenders and any other actor providing humanitarian assistance to and defending the human rights of irregular migrants, including by avoiding any criminalization, stigmatization, impediments, obstructions or restrictions thereof contrary to international human rights law;

(*d*) To ensure that no person engaged in medical activities is penalized in any way for refusing or failing to give to immigration authorities information concerning the immigration status of a person under his or her care or for providing health care and health-related assistance to undocumented migrants;

(*e*) To ensure that persons engaged in medical activities are not compelled to perform immigration duties or any other acts contrary to the rules of medical ethics or other rules designed for the benefit of the patients;

(*f*) To ensure that health-care workers who interact with migrants on a routine basis have good information about the rights of migrants in different legal statuses and about their obligations towards migrants;

9. *Encourages* countries of origin, transit and destination to seek technical assistance from and/or to collaborate with the Office of the United Nations High Commissioner for Human Rights and the World Health Organization to better promote and protect the human rights of migrants, including the right to the enjoyment of the highest attainable standard of physical and mental health;

10 *Takes note with appreciation* of the actions taken by several special procedures of the Human Rights Council and the treaty bodies for the effective prevention of violations of the human rights of migrants, including through joint statements and urgent appeals, and encourages them to continue their collaborative efforts to this end, within their respective mandates;

11. *Requests* the Special Rapporteur on the human rights of migrants and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, within their respective mandates, to continue their efforts to promote and support the building of greater synergies among States to strengthen cooperation and assistance for the protection of the human rights of all migrants and to promote their right to health;

12. *Requests* the Special Rapporteur on the human rights of migrants to continue to report on practical solutions, including by identifying best practices and concrete areas

and means for international cooperation, in order to enhance the protection of the human rights of migrants and to continue to pay attention to the topic of the universal enjoyment of human rights for all migrants;

13. *Encourages* States and regional and international organizations to enhance cooperation with the Special Rapporteur;

14. *Decides* to remain seized of the matter.

39th meeting
27 June 2014

[Adopted without a vote.]

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Human Rights Council
Twenty-sixth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

26/22 Human rights and transnational corporations and other business enterprises

The Human Rights Council,

Recalling its resolutions 8/7 of 18 June 2008, 17/4 of 6 July 2011 and 21/5 of 27 September 2012, and Commission on Human Rights resolution 2005/69 of 20 April 2005, on the issue of human rights and transnational corporations and other business enterprises,

Recalling in particular that the endorsement by consensus of the Guiding Principles on Business and Human Rights by the Human Rights Council in its resolution 17/4 established an authoritative framework to prevent and address adverse human rights risks and impacts of business activities, based on the three pillars of the United Nations "Protect, Respect and Remedy" framework,[1]

Recalling its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Stressing that the obligation and the primary responsibility to promote and protect human rights and fundamental freedoms lie with the State,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect human rights,

Recognizing that policies and proper regulation, including through national legislation, of transnational corporations and other business enterprises and their responsible operation can contribute to the promotion, protection and fulfilment of and respect for human rights and assist in channelling the benefits of business towards contributing to the enjoyment of human rights and fundamental freedoms,

[1] See A/HRC/17/31, annex.

Concerned that weak national legislation and implementation cannot effectively mitigate the negative impact of globalization on vulnerable economies or derive maximally the benefits of activities of transnational corporations and other business enterprises, and that further efforts to bridge governance gaps at the national, regional and international levels are necessary,

Recognizing the efforts made to implement the Guiding Principles by some States, business enterprises, international organizations and members of civil society,

Recognizing also the valuable role played by civil society, including non-governmental organizations, in promoting the implementation of the Guiding Principles and accountability for business-related human rights abuses and in raising awareness of the human rights impacts and risks of some business enterprises and activities,

Noting the important role that national action plans and other such frameworks on business and human rights can play as a tool for promoting the comprehensive and effective implementation of the Guiding Principles,

Concerned at legal and practical barriers to remedies for business-related human rights abuses, which may leave those aggrieved without opportunity for effective remedy, including through judicial and non-judicial avenues, and recognizing that it may be further considered whether relevant legal frameworks would provide more effective avenues of remedy for affected individuals and communities,

Recognizing that the annual Forum on Business and Human Rights has grown in size and become a valuable opportunity for constructive global exchange of challenges, lessons learned and good practices in implementing the Guiding Principles by all relevant stakeholders,

Recognizing also the importance of building the capacity of Governments, business enterprises, civil society and other stakeholders to better prevent business-related human rights abuses, provide effective remedy and manage challenges in the area of business and human rights, and that the United Nations system has an important role to play in this regard,

Recalling the views and recommendations of the United Nations human rights treaty bodies, including the general comments bearing on the issue of human rights and transnational corporations and other business enterprises, such as general comment No. 16 of the Committee on the Rights of the Child,

1. *Welcomes* the work of the Working Group on the issue of human rights and transnational corporations and other business enterprises in the fulfilment of its mandate, including the convening of regional forums to discuss challenges and lessons learned from implementation of the Guiding Principles on Business and Human Rights with States and other stakeholders in a regional context;[2]

2. *Recognizes* that the effective implementation of the Guiding Principles should cover a broad range of public policy areas, and encourages all States to take steps to implement the Guiding Principles, including to develop a national action plan or other such framework;

3. *Calls upon* all business enterprises to meet their responsibility to respect human rights in accordance with the Guiding Principles;

[2] See A/HRC/26/25.

4. *Welcomes* the efforts of the Working Group to build a database of national action plans and other relevant data on global progress in the implementation of the Guiding Principles, and in this regard encourages States to submit information on their national action plans and other relevant initiatives, with annual reports on the implementation of such commitments, and invites all relevant stakeholders to submit relevant information to the Working Group;

5. *Also welcomes* the efforts of the Working Group to develop guidance for the development and implementation of effective national action plans, including with regard to access to both judicial and non-judicial remedy, and encourages all States and other stakeholders to engage with the Working Group in developing such guidance;

6. *Encourages* the Working Group to identify and promote best practices in the national implementation of the Guiding Principles, and to reflect its findings, including in global progress on the implementation of the Guiding Principles, in its annual reports to the Human Rights Council;

7. *Requests* the United Nations High Commissioner for Human Rights to continue work to facilitate the sharing and exploration of the full range of legal options and practical measures to improve access to remedy for victims of business-related human rights abuses, in collaboration with the Working Group, to organize consultations with experts, States and other relevant stakeholders to facilitate mutual understanding and greater consensus among different views, and to publish a progress report thereon before the twenty-ninth session of the Human Rights Council, and the final report to be considered by the Council at its thirty-second session;

8. *Welcomes* the role of the Working Group in guiding the first two annual Forums on Business and Human Rights, encourages all stakeholders to continue to attend the Forum, and decides that the two-day Forum should continue to be held on an annual basis, with the addition of one meeting day to allow for the preparation and sharing of new tools and experience;

9. *Invites* the Working Group to include as an item of the agenda of the Forum on Business and Human Rights, among others, the issue of access to remedy, judicial and non-judicial, for victims of business-related human rights abuses, in order to foster mutual understanding and greater consensus among different viewpoints;

10. *Decides* to extend the mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises as set out in Human Rights Council resolution 17/4 for a period of three years;

11. *Encourages* all States, relevant United Nations agencies, funds and programmes, treaty bodies and civil society actors, including non-governmental organizations, as well as public and private businesses to cooperate fully with the Working Group in the fulfilment of its mandate by, inter alia, responding to communications transmitted, and for States to reply favourably to requests for visits by the Working Group;

12. *Invites* international and regional organizations to seek the views of the Working Group when formulating or developing relevant policies and instruments, and invites the Working Group to continue to collaborate closely with relevant United Nations bodies, including the treaty bodies and the special procedures;

13. *Requests* the Secretary-General and the High Commissioner to provide all the resources and assistance necessary for the Working Group to fulfil its mandate effectively, including for developing guidance for the implementation of the Guiding Principles and the organization of the Forum in a sustainable manner;

14. *Welcomes* the efforts made by national human rights institutions to enhance their capacity to support the effective implementation of the Guiding Principles by all stakeholders;

15. *Also welcomes* the report of the Secretary-General on the challenges, strategies and developments with regard to the implementation of resolution 21/5 by the United Nations system, including programmes, funds and agencies,[3] and the recommendations made therein, underscoring the need to embed the business and human rights agenda and the Guiding Principles throughout the United Nations system;

16. *Further welcomes* the study by the Secretary-General on the feasibility of a global fund to enhance the capacity of stakeholders to implement the Guiding Principles,[4] and requests the High Commissioner to consult with States and relevant stakeholders to develop concrete options and proposals to inform a decision on whether to create such a fund, and to submit a report thereon to the Human Rights Council at its twenty-ninth session;

17. *Emphasizes* the importance of stakeholder dialogue and analysis to maintain and build on the results achieved to date to prevent and address business-related human rights abuses, and to inform further deliberations of the Human Rights Council on business and human rights;

18. *Decides* to continue its consideration of this question in conformity with its annual programme of work.

39th meeting
27 June 2014

[Adopted without a vote.]

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[3] A/HRC/26/20.
[4] A/HRC/26/20/Add.1.

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Human Rights Council
Twenty-sixth session
Agenda item 4
Human rights situations that require the Council's attention

Resolution adopted by the Human Rights Council

26/23 The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming all previous Human Rights Council resolutions on the Syrian Arab Republic,

Reaffirming also its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Condemning the grave deterioration of the human rights situation and the indiscriminate killing and deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that may foment sectarian tensions,

Expressing its deepest concern about the findings of the independent international commission of inquiry and also the allegations contained in the evidence presented by "Caesar" in January 2014 regarding the torture and execution of persons incarcerated by the current Syrian regime, and underscoring the need for those allegations and similar evidence to be collected, examined and made available for future accountability efforts,

Strongly condemning the lack of cooperation by the Syrian authorities with the commission of inquiry,

Expressing its appreciation for the efforts of the Joint Special Representative of the United Nations and the League of Arab States, and expressing its deep regret at the failure to date to reach a political solution,

Welcoming Security Council resolution 2139 (2014) of 22 February 2014, expressing grave concern at its lack of implementation, and noting its demand for rapid, safe and unhindered humanitarian access and of the need to end impunity for violations of international humanitarian law and violations and abuses of human rights,

Recalling the statements made by the United Nations High Commissioner for Human Rights and by the special procedures of the Human Rights Council that crimes

against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, and noting the repeated encouragement by the High Commissioner to the Security Council to refer the situation to the International Criminal Court,

Welcoming the efforts of the United Nations Entity for Gender Equality and the Empowerment of Women and Syrian civil society to find a peaceful, inclusive and long-term solution to the conflict,

1. *Welcomes* the reports of the independent international commission on inquiry on the Syrian Arab Republic, and notes the importance of the work of the commission of inquiry and the information it has collected in support of future accountability efforts, in particular, information on alleged perpetrators violating international law;

2. *Demands* that the Syrian authorities cooperate fully with the commission of inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

3. *Urges* all parties to the conflict to prevent violations of international humanitarian law and human rights violations and abuses;

4. *Expresses grave concern* that thousands of detainees, both Syrian and non-Syrian nationals, may have died in government prisons as a result of starvation and torture, and condemns those responsible for such horrific acts;

5. *Strongly condemns* all incidences of enforced disappearance by the Syrian regime, of both Syrian and non-Syrian nationals, calls upon the Syrian regime to investigate all such cases, and also condemns all incidences of abduction committed by armed groups;

6. *Also strongly condemns* the use by the Syrian authorities of starvation of civilians as a method of combat, and further condemns the besiegement of civilians;

7. *Further strongly condemns* all violations and abuses committed against journalists and media activists from any quarter, and recognizes the role of journalists in documenting protests and human rights violations and abuses in the Syrian Arab Republic;

8. *Strongly condemns* all violations and abuses committed against the civilian population, in particular women and children, and demands that all parties comply with their obligations under international law;

9. *Demands* that all groups in the Syrian Arab Republic refrain from retaliation and violence, including sexual violence and torture;

10. *Also demands* that all parties demilitarize medical facilities, schools and other civilian facilities, avoid establishing military positions in populated areas and desist from attacks directed against civilian objects;

11. *Further demands* the release of all persons arbitrarily detained, including children, and calls upon the Syrian authorities to publish a list of all detention facilities, to ensure that conditions of detention comply with applicable international law and immediately to allow access by independent monitors to all detention facilities;

12. *Condemns* the continued gross, systematic and widespread violations of human rights and all violations of international humanitarian law by the Syrian authorities and affiliated militias, including those involving aerial bombardment of civilian areas, in particular the indiscriminate use of barrel bombs, ballistic missiles, chlorine gas and cluster bombs, and other actions that may amount to war crimes or crimes against humanity;

13. *Strongly condemns* the use of chemical weapons and all indiscriminate methods of warfare in the Syrian Arab Republic, which is prohibited under international law, amounts to a serious crime and has a devastating impact on civilians, and in this regard

calls upon the Syrian authorities to accelerate the complete and irreversible elimination of their chemical weapons programme, of which several important elements remain, in accordance with their obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the time frames and requirements set forth in Security Council resolution 2118 (2013) of 27 September 2013, and the decisions of the Executive Council of the Organization for the Prohibition of Chemical Weapons;

14. *Expresses deep concern* at the recent allegations of the use of toxic chemicals in the Syrian Arab Republic, supports the fact-finding mission of the Organization for the Prohibition of Chemical Weapons to investigate these allegations, strongly condemns the recent attack against inspectors of the Organization, and demands that safe and unfettered access for the said mission be ensured throughout the Syrian Arab Republic;

15. *Demands* that the Syrian authorities meet their responsibility to protect the Syrian population;

16. *Notes* the reporting of the commission of inquiry, including on the amount and type of crimes committed, in which it assesses that crimes against humanity and war crimes have been, and continue to be, committed in the territory of the Syrian Arab Republic;

17. *Also notes* that the International Criminal Court was established to help end impunity for such crimes where the State is unwilling or unable to genuinely carry out investigations or prosecutions;

18. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account, through appropriate fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

19. *Reaffirms* that, in the context of an inclusive and credible dialogue, the Syrian people should determine the appropriate process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations and abuses of international law, as well as reparations and effective remedies for victims;

20. *Expresses grave concern* at the spread of extremism and extremist groups, and strongly condemns all human rights abuses and violations of international humanitarian law in the Syrian Arab Republic;

21. *Condemns* all violence, irrespective of where it comes from, and calls upon all parties to immediately put an end to all forms of violence, including terrorist acts and acts of violence or intimidation that may foment sectarian tensions, and to comply strictly with their obligations under international law, including international humanitarian law;

22. *Strongly condemns* all violence against persons based on their religious or ethnic affiliation, and calls upon all parties to fully respect international law;

23. *Expresses its deep regret* that international efforts to find a political solution to the Syrian crisis have not so far succeeded and condemns those parties who have undermined such efforts;

24. *Reaffirms its commitment* to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, where all citizens are equal, regardless of gender, religion and ethnicity, and emphasizes that the decision to hold presidential elections on 3 June 2014, in the midst of this crisis, undermined the Geneva communiqué, which calls for a

transitional governing body with full executive powers to be agreed by mutual consent, in order to achieve a peaceful settlement;

25. *Urges* those countries with influence over the Syrian parties to take all measures to encourage the parties to the conflict to negotiate constructively and on the basis of the call made in the Geneva communiqué for the formation of a transitional governing body;

26. *Calls upon* the international community to support the leadership and full participation of women in political talks as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000 and 2122 (2013) of 18 October 2013, and welcomes the work of the United Nations Entity for Gender Equality and the Empowerment of Women and its partners in this regard;

27. *Condemns* the intentional denial of humanitarian assistance to civilians, from whatever quarter, and in particular the denial of medical assistance and the withdrawal of water and sanitation services to civilian areas, which has recently worsened, noting especially the primary responsibility of the Government of the Syrian Arab Republic in this regard, and deplores the deteriorating humanitarian situation;

28. *Further strongly condemns* all acts of violence directed against humanitarian actors, and demands that the Syrian authorities promptly allow, and all other parties to the conflict do not obstruct, rapid, safe and unhindered humanitarian access for United Nations humanitarian agencies and their implementing partners, including across conflict lines and across borders, in order to ensure that humanitarian assistance reaches people in need through the most direct routes;

29. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence, and welcomes the efforts by neighbouring countries to host Syrian refugees while acknowledging the socioeconomic consequences of the presence of large-scale refugee populations in those countries;

30. *Urges* the international community, including all donors, to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

31. *Calls upon* all members of the international community to respond expeditiously to the Syrian humanitarian appeal and to fulfil previous pledges;

32. *Decides* to remain seized of the matter.

39th meeting
27 June 2014

[Adopted by a recorded vote of 32 to 5, with 9 abstentions. The voting was as follows:

In favour:

Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, Costa Rica, Côte d'Ivoire, Czech Republic, Estonia, France, Gabon, Germany, Indonesia, Ireland, Italy, Japan, Kuwait, Maldives, Mexico, Montenegro, Morocco, Peru, Republic of Korea, Romania, Saudi Arabia, Sierra Leone, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Algeria, China, Cuba, Russian Federation, Venezuela (Bolivarian Republic of)

Abstaining:

Congo, Ethiopia, India, Kazakhstan, Namibia, Pakistan, Philippines, South Africa, Viet Nam

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Human Rights Council
Twenty-sixth session
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Human rights situations that require the Council's attention

Resolution adopted by the Human Rights Council

26/24 Situation of human rights in Eritrea

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling resolution 91 and decisions 250/2002 and 275/2003 of the African Commission on Human and Peoples' Rights,

Recalling also its resolution 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further its resolutions 20/20 of 6 July 2012 and 23/21 of 14 June 2013,

Emphasizing that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, and expressing grave concern that national elections in Eritrea have not been held since 1993,

Reiterating its deep concern at the ongoing reports of grave violations of human rights by the Eritrean authorities against their own population and fellow citizens, including violation of civil and political rights, as well as economic, social and cultural rights, and the alarming number of civilians fleeing Eritrea as a result of those violations,

Noting with grave concern the continued use by the Government of Eritrea of arbitrary arrest and detention, including incommunicado detention and in life-threatening conditions, of persons for suspected of evasion of national service, attempting to flee the country or having a family member who has fled, inability to produce identity documents, being a journalist, exercising the right to freedom of religion, being perceived as critical of the Government, and of those who return to the country, as well as those detained in the aftermath of the takeover on 21 January 2013 of the building housing the Ministry of Information,

Expressing grave concern at the widespread use of indefinite conscription into national service, a system that constitutes forced labour, and the reported forced conscription of children under the age of 18 into military service, and regretting that the fear and experience of a lengthy national service causes large numbers of Eritreans to leave the country,

Expressing grave concern also at reports that the Government of Eritrea is also forcing persons to participate in its citizen militia,

Reaffirming that everyone has the right to leave any country, including his or her own, and to return to his or her country,

Noting the participation of Eritrea in the second cycle of the universal periodic review, while regretting the lack of implementation by Eritrea of the recommendations made at its first review,

Noting also the efforts of Eritrea to achieve the Millennium Development Goals and to promote gender equality and progress on reducing and eliminating female genital mutilation, while stressing that sustainable social changes are linked with the establishment of a conducive political and legal environment,

Recalling the obligations of Eritrea under the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the African Charter on Human and Peoples' Rights and the African Charter on the Rights and Welfare of the Child,

Expressing continued concern at the failure of the Government of Eritrea to cooperate with the Special Rapporteur on the situation of human rights in Eritrea, including its refusal to allow the Special Rapporteur to visit the country,

1. *Welcomes* the second report of the Special Rapporteur on the situation of human rights in Eritrea[1] and its focus on indefinite national service constituting a form of forced labour, and arbitrary arrest and detention;

2. *Strongly condemns*:

(*a*) The continued widespread and systematic violations of human rights and fundamental freedoms committed by the Eritrean authorities, including cases of arbitrary and extrajudicial executions, enforced disappearances, the use of torture, arbitrary and incommunicado detention without recourse to justice, and detention in inhumane and degrading conditions;

(*b*) The severe restrictions on freedom of opinion and expression, freedom of information, freedom of thought, conscience and religion, and freedom of peaceful assembly and association, including the detention of journalists, human rights defenders, political actors, religious leaders and practitioners in Eritrea;

(*c*) The forced conscription of citizens for indefinite periods of national service, a system that amounts to forced labour, and the compulsory practice of all children undertaking the final year of schooling in a military training camp, as well as the intimidation and detention of those suspected of evading national service in Eritrea and their family members;

(*d*) The forced participation of citizens in the militia, and the detention of those suspected of not participating in it;

[1] A/HRC/26/45.

(*e*) The severe restrictions on freedom of movement, including, but not limited to, the arbitrary detention of people caught attempting to flee the country or suspected of an intention to do so;

(*f*) The violations of the rights of the child, including but not limited to the reported forced military conscription of children;

(*g*) The widespread use of torture and other cruel, inhuman or degrading treatment or punishment and the use of places of detention that fall far short of international standards, including underground cells and metal shipping containers;

(*h*) The shoot-to-kill practice employed on the borders of Eritrea to stop Eritrean citizens seeking to flee their country;

(*i*) Any violation by the Government of Eritrea of its international human rights obligations in connection with the collection of taxes outside Eritrea from its nationals;

(*j*) The lack of cooperation with international and regional human rights mechanisms by Eritrea;

3. *Reiterates* its call upon the Government of Eritrea, without delay:

(*a*) To end its use of arbitrary detention of its citizens, and to end the use of torture or other cruel, inhumane and degrading treatment or punishment;

(*b*) To account for and release all political prisoners, including members of the "G-15" and journalists;

(*c*) To account for those detained in the aftermath of the takeover on 21 January 2013 of the building housing the Ministry of Information, and to release them or to ensure that they are given a free and fair trial, with full respect for due process;

(*d*) To ensure free and fair access to an independent judicial system for those detained, and to improve prison conditions, including by prohibiting the use of underground cells and shipping containers to hold prisoners, ending the use of secret detention centres and secret courts and the practice of incommunicado detention, and allowing regular access to prisoners for relatives, legal advocates, medical care and other competent and legally authorized authorities and institutions;

(*e*) To put an end to the system of indefinite national service by demobilizing the national service conscripts who have completed their mandatory 18 months of service, and by effectively ending the practice of engaging them in forced labour after such a period, to provide for conscientious objection to military service, and to end the compulsory practice of all children undertaking the final year of schooling in a military training camp;

(*f*) To end the practice of forcing citizens to participate in the militia;

(*g*) To investigate promptly all allegations of extrajudicial killings, torture, rape and sexual abuse within the national service, and to bring perpetrators to justice;

(*h*) To allow human rights and humanitarian organizations to operate in Eritrea without fear or intimidation, and to facilitate the full implementation of the Strategic Partnership Cooperation Framework for 2013-2016 signed by the Government of Eritrea and the United Nations on 28 January 2013;

(*i*) To respect everyone's right to freedom of expression and to freedom of thought, conscience and religion or belief, and the rights to freedom of peaceful assembly and of association;

(*j*) To enhance the promotion and protection of women's rights, including by taking further measures to combat harmful practices, such as child, early and forced marriage and female genital mutilation;

(*k*) To implement the recommendations made during its second universal periodic review, to report on progress made and to cooperate fully with the Human Rights Council and the universal periodic review during its third cycle;

(*l*) To end "guilt-by-association" policies that target family members of those who evade national service or seek to flee Eritrea;

(*m*) To cooperate fully with the Office of the United Nations High Commissioner for Human Rights in accordance with its international human rights obligations by, inter alia, allowing unhindered access to a further mission by the Office as requested by the High Commissioner, the human rights treaty bodies and all mechanisms of the Human Rights Council, and to cooperate with all international and regional human rights mechanisms;

(*n*) To provide the Office of the High Commissioner with all relevant information on the identity, safety, well-being and whereabouts of all detained persons and persons missing in action, including members of the G-15, journalists, those detained in the aftermath of takeover on 21 January 2013 of the building housing the Ministry of Information, and the 19 Djiboutian combatants;

(*o*) To implement fully the Constitution of Eritrea adopted in 1997, and to govern in accordance with the principles of the rule of law;

4. *Urges* Eritrea to make available information pertaining to the Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008 so that those concerned may ascertain the presence and condition of Djiboutian prisoners of war;

5. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Eritrea for a period of one year, and requests the mandate holder to present a report to the Human Rights Council at its twenty-ninth session and to address and engage in an interactive dialogue with the General Assembly at its sixty-ninth session;

6. *Invites* the High Commissioner to report to the Human Rights Council on the progress in cooperation between Eritrea and the Office of the High Commissioner;

7. *Decides* to establish, for a period of one year, a commission of inquiry comprising three members, one of whom should be the Special Rapporteur, with the other two members appointed by the President of the Human Rights Council;

8. *Also decides* that the commission of inquiry will investigate all alleged violations of human rights in Eritrea, as outlined in the reports of the Special Rapporteur;

9. *Calls upon* the Government of Eritrea to cooperate fully with the Special Rapporteur and the commission of inquiry, to permit them and their staff members unrestricted access to visit the country, to give due consideration to the recommendations contained in the reports of the Special Rapporteur, and to provide them with the information necessary for the fulfilment of their mandates, and underlines the importance for all States to lend their support to the Special Rapporteur and the commission of inquiry for the discharge of their mandates;

10. *Urges* the international community to cooperate fully with the Special Rapporteur and the commission of inquiry;

11. *Also urges* the international community to strengthen efforts to ensure the protection of those fleeing from Eritrea, in particular the increasing number of unaccompanied children;

12. *Requests* the Secretary-General to provide the Special Rapporteur and the commission of inquiry with all information and the resources necessary to fulfil their mandates;

13. *Requests* the commission of inquiry to present an oral update to the Human Rights Council at its twenty-eighth session and to the General Assembly at its seventieth session, and a written report to the Council at its twenty-ninth session;

14. *Decides* to transmit all reports of the commission of inquiry to all relevant bodies of the United Nations and to the Secretary-General for appropriate action;

15. *Also decides* to remain seized of the matter.

39th meeting
27 June 2014

[Adopted without a vote.]

United Nations A/HRC/RES/26/25

General Assembly

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16 July 2014

Original: English

Human Rights Council
Twenty-sixth session
Agenda item 4
Human rights situations that require the Council's attention

Resolution adopted by the Human Rights Council

26/25 Situation of human rights in Belarus

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling all resolutions adopted by the Commission on Human Rights, the General Assembly and the Human Rights Council on the situation of human rights in Belarus, including Council resolutions 20/13 of 5 July 2012 and 23/15 of 13 June 2013, and deploring the inadequate response and lack of cooperation by the Government of Belarus to the requests of the Council made in those resolutions, including the denial of access to the Special Rapporteur on the situation of human rights in Belarus and other special procedures mandate holders to the country,

Recalling also Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

1. *Welcomes* the reports of the Special Rapporteur on the situation of human rights in Belarus;[1]

2. *Expresses deep concern* at the continuing violations of human rights in Belarus, which are of a systemic and systematic nature, as well as at the use of torture and ill-treatment in custody, the lack of response by the Government of Belarus to cases of enforced disappearance of political opponents, the impunity of perpetrators of human rights violations, the violations of labour rights amounting to forced labour, the significant gaps in anti-discrimination legislation, the pressure on defence lawyers, and the lack of participation of opposition political parties in Parliament, urges the Government to undertake an electoral reform in line with the recommendations made by the Special Rapporteur so as to ensure that elections in Belarus at all levels are in accordance with the norms and standards of the Organization for Security and Cooperation in Europe, and calls upon the Belarusian authorities to cooperate fully to that end with relevant United Nations

[1] A/HRC/26/44 and A/68/276.

mechanisms and the Office for Democratic Institutions and Human Rights of the said Organization;

3. *Calls upon* the Government of Belarus to carry out a comprehensive review of relevant legislation, policies, strategies and practices to ensure that the provisions are clearly defined, consistent with international human rights law and with their human rights obligations and commitments, and not used to impede or unduly restrict the exercise of any human right, including the right to freedom of opinion and expression, the right of peaceful assembly and the right to freedom of association, including to form and join a trade union, as well as the freedom of the media;

4. *Notes* the continued attention paid by the Special Rapporteur to the issue of the death penalty in Belarus, and encourages the parliamentary working group on the death penalty to expedite its work;

5. *Urges* the Government of Belarus to carry out a comprehensive reform of the justice sector and bar associations in order to guarantee the full independence and impartiality of the judiciary, the presumption of innocence, the right to a fair trial and the right to an effective review of sentences and convictions by a higher tribunal established by law and to freely chosen legal representation throughout all proceedings, as well as the availability of information on the implementation of all sentences, while noting recent attempts to reform the judiciary;

6. *Strongly urges* the Government of Belarus to immediately and unconditionally release and rehabilitate all political prisoners, while welcoming the recent release of a prominent human rights defender, also strongly urges the Government to ensure that those who have been released are immediately and fully reinstated in their civil and political rights, to address, through comprehensive, transparent and credible investigations, reports of torture and ill-treatment by law-enforcement officials and to prosecute alleged perpetrators and punish those found guilty, and to put an immediate end to the arbitrary arrest, detention and harassment of human rights defenders, political opponents and journalists, to arbitrary travel bans and to other policies aimed at intimidating representatives of the political opposition and the media, as well as human rights defenders and civil society organizations;

7. *Strongly encourages* the Government of Belarus to establish a national human rights institution in accordance with the Paris Principles, and to enhance the progress made towards reaching the Millennium Development Goals;

8. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, and requests the Special Rapporteur to submit a report on the situation of human rights in Belarus to the Human Rights Council at its twenty-ninth session and to the General Assembly at its seventieth session;

9. *Urges* the Government of Belarus to cooperate fully with the Special Rapporteur, including by providing him access to visit the country and the information necessary to facilitate the fulfilment of the mandate;

10. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with the assistance and resources necessary to allow the fulfilment of the mandate.

39th meeting
27 June 2014

[Adopted by a recorded vote of 24 to 7, with 16 abstentions. The voting was as follows:

In favour:

Argentina, Austria, Benin, Botswana, Brazil, Chile, Costa Rica, Czech Republic, Estonia, France, Gabon, Germany, Ireland, Italy, Japan, Maldives, Montenegro, Peru, Republic of Korea, Romania, Sierra Leone, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

China, Cuba, India, Kazakhstan, Russian Federation, Venezuela (Bolivarian Republic of), Viet Nam

Abstaining:

Algeria, Burkina Faso, Congo, Côte d'Ivoire, Ethiopia, Indonesia, Kenya, Kuwait, Mexico, Morocco, Namibia, Pakistan, Philippines, Saudi Arabia, South Africa, United Arab Emirates]

United Nations A/HRC/RES/26/26

General Assembly

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Human Rights Council
Twenty-sixth session
Agenda item 5
Human rights bodies and mechanisms

Resolution adopted by the Human Rights Council

26/26 Promotion and protection of the human rights of peasants and other people working in rural areas

The Human Rights Council,

Recalling the Universal Declaration of Human Rights,

Recalling also the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Recalling further the Vienna Declaration and Programme of Action and all other relevant human rights instruments,

Recalling Human Rights Council resolutions 13/4 of 24 March 2010, 16/27 of 25 March 2011 and 19/7 of 22 March 2012 on the right to food, and in particular Council resolution 21/19 of 27 September 2012 on the promotion and protection of the human rights of peasants and other people working in rural areas,

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Underlining the imperative need to achieve the Millennium Development Goals by 2015 in order to contribute to making the right to development a reality for everyone,

Welcoming General Assembly resolution 66/222 of 22 December 2011, in which the Assembly declared 2014 the International Year of Family Farming,

Gravely concerned that hunger, like poverty, is still predominantly a rural problem, and that in the rural population it is those who produce food who suffer disproportionately, and alarmed that 75 per cent of people suffering from hunger live in rural areas, particularly in developing countries, and 50 per cent are small-scale and traditional farm holders, as well as subsistence farmers, and that they are especially vulnerable to food insecurity, malnutrition, discrimination and exploitation,

Recognizing that livelihoods in rural areas are disproportionately affected by poverty, climate change and lack of access to land, water, development and scientific progress,

Convinced of the need to strengthen the protection and realization of the human rights of peasants and other people working in rural areas,

Welcoming the report of the open-ended intergovernmental working group on its first session,[1] held from 15 to 19 July 2013, pursuant to Human Rights Council resolution 21/19, and in particular the inputs from Governments, regional groups, civil society and relevant stakeholders,

Taking note of the expert seminar on the rights of peasants and other people working in rural areas held on 8 and 9 April 2014 at the Geneva Academy of International Humanitarian Law and Human Rights, with the participation of experts from academia, international organizations, civil society, States as observers and other relevant stakeholders,

Bearing in mind the development of this issue,

1. *Decides* that the working group with the mandate of negotiating, finalizing and submitting to the Human Rights Council a draft United Nations declaration on the rights of peasants and other people working in rural areas shall hold its second session for five working days before the twenty-ninth session of the Council;

2. *Requests* the Chairperson-Rapporteur of the working group to conduct informal consultations with Governments, relevant special procedures of the Human Rights Council, regional groups, intergovernmental organizations, United Nations mechanisms, civil society and representatives of peasants and other people working in rural areas, as well as other relevant stakeholders and other relevant specialized agencies of the United Nations system before the second session of the working group;

3. *Also requests* the Chairperson-Rapporteur of the working group to prepare a new text on the basis of the discussions held during the first session of the working group, including on the draft declaration presented by the Advisory Committee, and the informal consultations to be held, and to present it to the working group at its second session for consideration and further discussion;

4. *Invites* States, civil society and all relevant stakeholders to contribute actively and constructively to the work of the working group;

5. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the working group with the human, technical and financial assistance necessary for it to fulfil its mandate;

6. *Requests* the working group to submit to the Human Rights Council for consideration at its thirtieth session a report on progress made, which should be published as an official document in all official languages of the United Nations.

39th meeting
27 June 2014

[Adopted by a recorded vote of 29 to 5, with 13 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Benin, Brazil, Burkina Faso, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Ethiopia, Gabon, India, Indonesia, Kazakhstan, Kenya, Morocco, Namibia, Pakistan, Peru, Philippines, Russian Federation,

[1] A/HRC/26/48.

Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

Against:

Czech Republic, Republic of Korea, Romania, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Austria, Botswana, Estonia, France, Germany, Ireland, Italy, Japan, Kuwait, Maldives, Mexico, Montenegro, the former Yugoslav Republic of Macedonia]

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Human Rights Council
Twenty-sixth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

26/27 Human rights and climate change

The Human Rights Council,

Guided by the Charter of the United Nations, and reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Vienna Declaration and Programme of Action,

Recalling its resolutions 7/23 of 28 March 2008, 10/4 of 25 March 2009 and 18/22 of 17 October 2011 on human rights and climate change, and 16/11 of 24 March 2011, 19/10 of 22 March 2012 and 25/21 of 28 March 2014, on human rights and the environment,

Reaffirming the United Nations Framework Convention on Climate Change and the objectives and principles thereof, and emphasizing that parties should, in all climate change-related actions, fully respect human rights as enunciated in the outcome of the sixteenth session of the Conference of Parties to the Convention,[1]

Reaffirming also the commitment to enable the full, effective and sustained implementation of the United Nations Framework Convention on Climate Change through long-term cooperative action, in order to achieve the ultimate objective of the Convention,

Welcoming the holding of the recent Conferences of the Parties to the United Nations Framework Convention on Climate Change, including the seventeenth Conference of the Parties, held in November 2011 in Durban, South Africa, the eighteenth Conference of the Parties, held in November 2012 in Doha, and the nineteenth Conference of the Parties, held in November 2013 in Warsaw,

[1] FCCC/CP/2010/7/Add.1, dec.1/CP.16.

Welcoming also the outcome document "The future we want" of the United Nations Conference on Sustainable Development held in June 2012 in Rio de Janeiro, Brazil,[2]

Notes the convening of the climate summit on 23 September 2014 by the Secretary-General aimed at mobilizing action and ambition in relation to climate change,

Recalling the Declaration of the United Nations Conference on the Human Environment, the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development,

Recognizing that human beings are at the centre of concerns for sustainable development, and that the right to development must be fulfilled so as to meet the development and environmental needs of present and future generations,

Recognizing also the challenges of climate change to development and to the progress made towards the achievement of the Millennium Development Goals, in particular with regard to the goals on the eradication of extreme poverty and hunger, environmental sustainability and health,

Acknowledging that, as stated in the United Nations Framework Convention on Climate Change, the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,

Acknowledging also that, as stated in the United Nations Framework Convention on Climate Change, responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding adverse impact on the latter, taking into full account the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming also that it is the primary responsibility of States to promote and protect human rights;

Recalling the report of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and human rights,[3] the panel discussion on the relationship between climate change and human rights, held on 15 June 2009, at the eleventh session of the Human Rights Council, and the 2010 Social Forum, which focused on the relationship between climate change and human rights,[4]

Welcoming the convening of the seminar by the Office of the High Commissioner on 23 and 24 February 2012 on addressing the adverse impact of climate change on the full enjoyment of human rights, and recalling its summary report thereon,[5]

Emphasizing that the adverse effects of climate change have a range of implications, both direct and indirect, for the effective enjoyment of human rights, including, inter alia, the right to life, the right to adequate food, the right to the highest attainable standard of health, the right to adequate housing, the right to self-determination, the right to

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[2] General Assembly resolution 66/288, annex.
[3] A/HRC/10/61.
[4] See A/HRC16/62 and Corr.1.
[5] A/HRC/20/7.

development and the right to safe drinking water and sanitation, and recalling that in no case may a people be deprived of its own means of subsistence,

Expressing concern that, while these implications affect individuals and communities around the world, the adverse effects of climate change will be felt most acutely by those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability,

Reaffirming that people in developing countries, particularly in least developed countries, small island developing States and African countries, that have contributed the least to global greenhouse gas emissions, are among the most vulnerable to the adverse effects of climate change on the full and effective enjoyment of all human rights, including the right to development, and should be provided with predictable, sustainable and adequate support to meet the costs of adaptation to and mitigation of those adverse effects,

Recognizing the need to give due consideration in the elaboration of the post-2015 development agenda to the role of international cooperation in relation to the special needs and particular circumstances of developing countries and to addressing the adverse impact of climate change on the full and effective realization of human rights,

Recognizing also that climate change is an urgent global problem requiring a global solution, and that effective international cooperation to enable the full, effective and sustained implementation of the United Nations Framework Convention on Climate Change in accordance with the provisions and principles of the Convention is important in order to support national efforts for the realization of human rights affected by climate change-related impact,

Noting that, as stated in the Rio Declaration, States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through the exchange of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new innovative technologies,

Affirming that human rights obligations, standards and principles have the potential to inform and strengthen international, regional and national policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes,

Noting the establishment of the Climate Vulnerable Forum and the launching of the second edition of *Climate Vulnerability Monitor* in 2012 in New York, which may become a useful tool to orient public policies,

1. *Reiterates its concern* that the adverse effects of climate change have a range of direct and indirect implications for the effective enjoyment of all human rights,-and that the effects of climate change will be felt most acutely by individuals and communities around the world that are already in vulnerable situations owing to geography, poverty, gender, age, indigenous or minority status or disability;

2. *Expresses concern* that climate change has contributed to the increase of both sudden-onset natural disasters and slow-onset events, and that these events have adverse effects on the full enjoyment of all human rights;

3. *Emphasizes* the urgent importance of continuing to address, as they relate to States' human rights obligations, the adverse consequences of climate change for all, particularly in developing countries and its people whose situation is most vulnerable to climate change, especially those in a situation of extreme poverty, and deteriorating livelihood conditions;

4. *Stresses* the importance of fostering dialogue and cooperation between relevant international organizations and stakeholders to develop the analysis of the linkages between human rights and climate change;

5. *Calls upon* all States to continue to enhance international dialogue and cooperation in relation to the adverse impact of climate change on the enjoyment of human rights, including the right to development, particularly in developing countries, especially least developed countries, small island developing States and African countries, including through dialogue and measures, such as the implementation of practical steps to promote and facilitate capacity-building, financial resources and technology transfer;

6. *Decides* to incorporate into its programme of work for the twenty-eighth session a full-day discussion on specific themes relating to human rights and climate change on the basis of the different elements contained in the present resolution, and to dedicate one panel to identifying challenges and ways forward towards the realization of all human rights for all, including the right to development, in particular those in vulnerable situations, as well as the measures and best practices to promote and protect human rights that can be adopted by States in addressing the adverse effects of climate change on the full and effective enjoyment of human rights, and another panel discussion to how climate change has had an adverse impact on States' efforts to progressively realize the right to food, and policies, lessons learned and good practices;

7. *Invites* the special procedures mandate holders, within their respective mandates, and other relevant stakeholders, including academic experts and civil society organizations, to participate actively in the panel discussions;

8. *Encourages* relevant special procedures mandate holders to give consideration to the issue of climate change and human rights within their respective mandates;

9. *Requests* the Office of the United Nations High Commissioner for Human Rights to submit to the Human Rights Council, at its session following the full-day discussion, a summary report, including any recommendations stemming therefrom, for consideration of further follow-up action;

10. *Decides* to consider the possibility of organizing follow-up events on climate change and human rights within its future programme of work;

11. *Requests* the Secretary-General and the High Commissioner to provide all the human and technical assistance necessary for the effective and timely realization of the above-mentioned panel discussions and summary report thereon;

12. *Decides* to remain seized of the matter.

40th meeting
27 June 2014

[Adopted without a vote.]

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Human Rights Council
Twenty-sixth session
Agenda item 5
Human rights bodies and mechanisms

Resolution adopted by the Human Rights Council

26/28 The Social Forum

The Human Rights Council,

Recalling all previous resolutions and decisions adopted on the Social Forum by the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights, as well as by the Economic and Social Council,

Recalling also Human Rights Council resolutions 5/1 of 18 June 2007, 6/13 of 28 September 2007, 10/4 of 25 March 2009, 10/29 of 27 March 2009, 13/17 of 25 March 2010, 16/26 of 25 March 2011, 19/24 of 23 March 2012 and 24/25 of 27 September 2013,

Bearing in mind that the reduction of poverty and the elimination of extreme poverty remain an ethical and moral imperative of humankind, based on the respect for human dignity,

Reaffirming the unique nature within the United Nations of the Social Forum, which makes possible a dialogue and an exchange between the representatives of Member States and civil society, including grass-roots organizations and intergovernmental organizations, and stressing that the current reform of the United Nations should take into account the contribution of the Forum as a vital space for open and fruitful dialogue on issues linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all,

1. *Takes note* of the report of the Chairman-Rapporteur of the 2014 Social Forum,[1] held in Geneva from 1 to 3 April;

2. *Also takes note* of the conclusions and recommendations of the 2014 Social Forum, and encourages States, international organizations, non-governmental organizations, civil society organizations, trade unions and other relevant actors to take them into account when designing and implementing programmes and strategies;

[1] A/HRC/26/46.

3. *Reaffirms* the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including the contribution of civil society and grass-roots organizations, and stresses the need to ensure greater participation of grass-roots organizations and of those living in poverty, particularly women, especially from developing countries, in the sessions of the Forum;

4. *Underlines* the importance of coordinated efforts at the national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity and of addressing the social dimension and challenges of the ongoing globalization process and the negative impact of the current economic and financial crises;

5. *Stresses* the need for increased and sustained participation and contribution of civil society and all other relevant actors listed in the present resolution to the promotion and effective realization of the right to development;

6. *Decides* that the Social Forum will meet for three working days in 2015, in Geneva, on dates suitable for the participation of representatives of States Members of the United Nations and of the broadest possible range of other stakeholders, especially from developing countries, and also decides that, at its next meeting, the Forum should focus on access to medicines in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including best practices in this regard;

7. *Requests* the President of the Human Rights Council to appoint, as early as possible, from candidates nominated by regional groups, the Chairperson-Rapporteur for the 2015 Social Forum, bearing in mind the principle of regional rotation;

8. *Requests* the Office of the United Nations High Commissioner for Human Rights to make available the most recent and relevant United Nations reports and documents on access to medicines in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health as background documents for the dialogues and debates that will be held at the 2015 Social Forum;

9. *Requests* the High Commissioner to facilitate participation in the 2015 Social Forum, in order to contribute to interactive dialogues and debate at the Forum and to assist the Chairperson-Rapporteur as resource persons, of up to 10 experts, including representatives from civil society and grass-roots organizations in developing countries;

10. *Decides* that the Social Forum will remain open to the participation of representatives of States Members of the United Nations and all other interested stakeholders, such as intergovernmental organizations, different components of the United Nations system, especially mandate holders of thematic procedures and mechanisms of the human rights machinery, regional economic commissions and specialized agencies and organizations, as well as representatives designated by human rights national institutions and non-governmental organizations in consultative status with the Economic and Social Council, and shall also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, including newly emerging actors, such as small groups and rural and urban associations from the North and the South, anti-poverty groups, peasants' and farmers' organizations and their national and international associations, voluntary organizations, environmental organizations and activists, youth associations, community organizations, trade unions and associations of workers, as well as representatives of the private sector, on the basis of arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure, in accordance with the rules of procedure of the Human Rights Council, while ensuring the most effective contribution of these entities;

11. *Requests* the Office of the High Commissioner to seek effective means of ensuring consultation and the broadest possible participation of representatives from every region, especially those from developing countries, in the Social Forum, including by establishing partnerships with non-governmental organizations, the private sector and international organizations;

12. *Requests* the Secretary-General to take appropriate measures to disseminate information about the Social Forum, to invite relevant individuals and organizations to the Forum and to take all practical measures required for the success of this initiative;

13. *Invites* the 2015 Social Forum to submit a report containing its conclusions and recommendations to the Human Rights Council at its twenty-ninth session;

14. *Requests* the Secretary-General to provide the Social Forum with all the services and facilities necessary to fulfil its activities, and requests the High Commissioner to provide all the support necessary to facilitate the convening and proceedings of the Forum;

15. *Decides* to continue consideration of this issue at its twenty-ninth session under the same agenda item.

40th meeting
27 June 2014

[Adopted without a vote.]

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Human Rights Council
Twenty-sixth session
Agenda item 5
Human rights bodies and mechanisms

Resolution adopted by the Human Rights Council

26/29 Contribution of parliaments to the work of the Human Rights Council and its universal periodic review

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations and all relevant human rights instruments,

Recalling successive resolutions adopted by the General Assembly since 2010, in particular its resolutions 65/123 of 13 December 2010 and 66/261 of 29 May 2012, in which the Assembly recognized the importance of the provision of continued parliamentary support for the work of the Human Rights Council, in particular its universal periodic review,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007,

Recalling further its resolution 22/15 of 21 March 2013 on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review, and taking note with appreciation of the summary report of the United Nations High Commissioner for Human Rights of the panel discussion on the theme, "Contribution of parliaments to the work of the Human Rights Council and its universal periodic review", held on 29 May 2013,[1]

Welcoming the efforts of the Inter-Parliamentary Union to contribute to the work of the United Nations, and in particular its contribution to the work of the Human Rights Council and United Nations human rights treaty bodies,

Considering that the Human Rights Council and parliaments stand to gain considerably from exploring possible synergies to ensure that the universal periodic review has the greatest impact at the national level,

[1] Available from www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Pages/ListReports.aspx.

Acknowledging the crucial role that parliaments play in, inter alia, translating international commitments into national policies and laws and hence in contributing to the fulfilment by each State Member of the United Nations of its human rights obligations and commitments and to the strengthening of the rule of law,

Acknowledging also the leading role that parliaments could play in ensuring the implementation of recommendations made at the sessions of the universal periodic review and by other human rights mechanisms at the national level,

1. *Encourages* States, in accordance with their national legislation, to promote the involvement of parliaments in all stages of the universal periodic review reporting process, in particular through the inclusion of the national parliament as a relevant stakeholder in the consultation process of the national report and in the implementation of recommendations, and to report on such involvement in their national report and voluntary mid-term reports or during the interactive dialogue session of the universal periodic review;

2. *Welcomes* the growing practice by States under review of including parliamentarians in their national delegations to the universal periodic review, and encourages States, as appropriate, to continue this practice;

3. *Also welcomes* the recent efforts by the Inter-Parliamentary Union and the parliamentary and other authorities of Member States to organize, in collaboration with the Office of the United Nations High Commissioner for Human Rights, regional seminars aimed at raising awareness of the work of the Human Rights Council, in particular its universal periodic review, and to build capacities of parliaments to contribute to its work;

4. *Further welcomes* in that regard the recent regional seminar held in Romania for parliaments of Central and Eastern Europe, and invites States, with the support of the Inter-Parliamentary Union and the Office of the High Commissioner, to continue to contribute to such activities;

5. *Invites* the High Commissioner to provide the Human Rights Council with regular updates on the activities of the Inter-Parliamentary Union on parliamentary capacity-building, as well as on its activities with regard to the work of the Council and its universal periodic review;

6. *Encourages* all relevant stakeholders to promote and enhance cooperation between their national parliaments and national human rights institutions and civil society in the promotion and protection of all human rights and fundamental freedoms;

7. *Decides* to continue consideration of the issue under the same agenda item.

40th meeting
27 June 2014

[Adopted without a vote.]

United Nations A/HRC/RES/26/30

General Assembly

Distr.: General
15 July 2014

Original: English

Human Rights Council
Twenty-sixth session
Agenda item 10
Technical assistance and capacity-building

Resolution adopted by the Human Rights Council

26/30 Cooperation and assistance to Ukraine in the field of human rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant international human rights instruments,

Bearing in mind relevant regional instruments, in particular the European Convention for the Protection of Human Rights and Fundamental Freedoms,

Recalling General Assembly resolution 68/262 of 27 March 2014 on the territorial integrity of Ukraine,

Reaffirming its commitment to the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognized borders,

Recalling that it is the primary responsibility of States to promote and protect all human rights and fundamental freedoms,

Recalling also the Geneva Joint Statement on Ukraine of 17 April 2014 outlining initial concrete steps to de-escalate tensions and restore security for all citizens, and stressing the importance of its full implementation by all parties,

Recalling further the statement made by the Secretary-General on 14 June 2014, in which he expressed concern at the violence in Eastern Ukraine and called for a solution through negotiation and dialogue,

Acknowledging the commitment of the Government of Ukraine to promote and protect human rights, and recognizing the efforts made by the Government to strengthen democracy and the rule of law and protection of human rights, including by promoting an inclusive political dialogue that reflects the diversity of society and includes representation from all parts of Ukraine,

Noting with serious concern the ongoing activities by illegal armed groups in the Donetsk and Luhansk regions with external support, which remain a major factor causing the worsening situation in the protection of human rights in these regions,

Expressing deep concern at the lack of access of impartial and independent human rights monitors to the Autonomous Republic of Crimea and the city of Sevastopol,

Welcoming the continued efforts by the Secretary-General, the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe, the Council of Europe and other international and regional organizations to assist Ukraine in promoting and protecting human rights,

1. *Welcomes* the reports of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Ukraine, based on the findings of the United Nations human rights monitoring mission in Ukraine;

2. *Commends* the Office of the High Commissioner for the rapid deployment of the monitoring mission, for providing regular, accurate and public reports on the human rights situation, as well as on emerging concerns and risks, and for documenting the facts and circumstances of alleged human rights violations and abuses;

3. *Welcomes* the cooperation of the Government of Ukraine with the monitoring mission and the renewal of its mandate in Ukraine until 15 September 2014, and fully supports the continued assistance of the Office of the High Commissioner to the Government of Ukraine;

4. *Calls upon* all concerned to cooperate fully with, provide access to and allow deployment of independent and impartial human rights monitors, including by the monitoring mission, and to comply strictly with all applicable international law;

5. *Also calls upon* all concerned to implement the recommendations contained in the reports of the Office of the High Commissioner, and welcomes the efforts of the Government of Ukraine already made in this regard aimed at, inter alia, the implementation of the Geneva Joint Statement on Ukraine of 17 April 2014;

6. *Calls upon* the Government of Ukraine to continue its reform efforts aimed at strengthening the human rights protection of all citizens, the rule of law and democracy, in particular in areas identified by the monitoring mission;

7. *Welcomes* the holding of presidential elections in Ukraine on 25 May 2014;

8. *Expresses concern* that, despite the efforts of the election administration to ensure voting throughout the country, individuals were not able to take part in voting in parts of the Luhansk and Donetsk regions owing to systematic disruption by illegal armed groups and in the Autonomous Republic of Crimea and the city of Sevastopol;

9. *Calls upon* the Government of Ukraine to continue to investigate all alleged human rights violations and abuses in a prompt, impartial, transparent and comprehensive manner, and to ensure accountability, including in relation to the Maidan protests and the violence in Odessa on 2 May 2014;

10. *Welcomes* the cooperation of the Government of Ukraine with the special procedures of the Human Rights Council, in line with its standing invitation, and encourages continued cooperation in this regard;

11. *Also welcomes* the statement by the Special Rapporteur on minority issues on her country visit to Ukraine containing the initial findings, and urges all concerned to strictly respect the rights of persons belonging to ethnic, national, linguistic and religious minorities;

12. *Calls for* an immediate end to all acts of discrimination and harassment, in particular towards persons belonging to minorities and indigenous peoples and other residents of the Autonomous Republic of Crimea and the city of Sevastopol, including ethnic Ukrainians and Crimean Tatars;

13. *Also calls for* the protection of all human rights in all of Ukraine, in particular in the Autonomous Republic of Crimea and the city of Sevastopol in issues related to, inter alia, citizenship, right of residence, labour rights, property and land rights, access to health and education, peaceful assembly, and the freedoms of expression, association, religion and belief;

14. *Calls upon* all concerned to promote a safe and enabling environment for journalists to perform their work independently and without undue interference;

15. *Strongly condemns* the violence and abuses committed by illegal armed groups, including abductions, unlawful detentions, killings, torture and ill-treatment, disappearances and harassment of journalists, international observers and other people, and urges all members of illegal armed groups to immediately disarm and stop their unlawful acts, including to immediately release all those unlawfully detained, and to vacate occupied public and administrative buildings, in accordance with the provisions of the Geneva Joint Statement;

16. *Urges* the Government of Ukraine to conduct security and law enforcement operations in accordance with applicable international law;

17. *Invites* the High Commissioner to report on the implementation of the present resolution to the Human Rights Council at its twenty-seventh session, followed by an interactive dialogue.

40th meeting
27 June 2014

[Adopted by a recorded vote of 23 to 4, with 19 abstentions. The voting was as follows:

In favour:

Austria, Benin, Botswana, Chile, Costa Rica, Côte d'Ivoire, Czech Republic, Estonia, France, Germany, Ireland, Italy, Japan, Maldives, Mexico, Montenegro, Philippines, Republic of Korea, Romania, Sierra Leone, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

China, Cuba, Russian Federation, Venezuela (Bolivarian Republic of)

Abstaining:

Algeria, Argentina, Brazil, Burkina Faso, Congo, Ethiopia, Gabon, India, Indonesia, Kazakhstan, Kenya, Kuwait, Namibia, Pakistan, Peru, Saudi Arabia, South Africa, United Arab Emirates, Viet Nam]

United Nations A/HRC/RES/26/31

General Assembly

Distr.: General
17 July 2014

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Human Rights Council
Twenty-sixth session
Agenda item 10
Technical assistance and capacity-building

Resolution adopted by the Human Rights Council

26/31 Technical and capacity-building assistance for South Sudan in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and relevant human rights treaties,

Emphasizing that States have the primary responsibility for the promotion and protection of human rights,

Recalling General Assembly resolutions 60/251 of 15 March 2006 and 65/281 of 17 June 2011,

Recalling also Human Rights Council resolution 5/1 of 18 June 2007, as well as Council resolutions 18/17 of 29 September 2011, 21/28 of 28 September 2012 and 23/24 of 14 June 2013 on technical assistance and capacity-building for South Sudan in the field of human rights, and President's statement PRST 25/2 of 28 March 2014,

Recalling further Security Council resolution 2155 (2014) of 27 May 2014,

Deeply concerned at the human rights situation in South Sudan and at reports of atrocities committed since the outbreak of violence on 15 December 2013, including the targeted killing of civilians and mass displacements, and allegations of unlawful recruitment and use of child soldiers, widespread incidents of arbitrary arrest and detention, and sexual violence,

Commending the leading role played by the Intergovernmental Authority on Development, and expressing support for its monitoring and verification mechanism,

Welcoming the establishment and work of the African Union Commission of Inquiry for South Sudan, and stressing the importance of thorough and genuine investigations into all human rights violations and abuses, and violations of international humanitarian law, to ensure that all perpetrators are brought to justice,

Welcoming also the engagement of the Secretary-General, the United Nations High Commissioner for Human Rights and the Special Adviser on the Prevention of Genocide, and taking note of the statements made by the High Commissioner on 30 April and 9 May 2014 and the report of the United Nations Mission in South Sudan of 8 May 2014,

Welcoming further the commitment made by the parties to the conflict to end the conflict and to fully engage in the ongoing peace process led by the Intergovernmental Authority on Development and the agreements of 9 May and 10 June 2014, which included, inter alia, the decision to deploy a protection and deterrent force in South Sudan and to form an inclusive transitional National Unity Government,

1. *Expresses grave concern* at the situation in South Sudan;

2. *Strongly condemns* the abuses and violations of human rights, and violations of international humanitarian law, including the targeted killing of civilians and mass displacements, and allegations of unlawful recruitment and use of child soldiers, widespread incidents of arbitrary arrest and detention, sexual violence and mass killings of people that have occurred in the aftermath of the violence that broke out on 15 December 2013;

3. *Demands* a halt to all human rights violations, abuses and acts of violence by all parties;

4. *Stresses* that the perpetrators of violations and abuses and those ordering them should be held accountable and brought to justice;

5. *Emphasizes* that international human rights mechanisms should make efforts to support the work of the Intergovernmental Authority on Development, the African Union and its Commission of Inquiry for South Sudan upon their request;

6. *Calls upon* all parties to respect and implement the signed agreements of the Intergovernmental Authority on Development and to commit to inclusive dialogue, reconciliation and peacebuilding;

7. *Calls upon* the international community to assist neighbouring countries hosting refugees, especially women, children and persons with disabilities;

8. *Requests* the United Nations High Commissioner for Human Rights, as a matter of urgency, to monitor the situation of human rights in South Sudan and to report thereon to the Human Rights Council at its twenty-eighth session, with recommendations on technical assistance and capacity-building measures, including on human rights education to overcome challenges in the areas of security and on the importance of accountability and transitional justice in South Sudan;

9. *Decides* to convene, at its twenty-seventh session, a panel discussion on the human rights situation in South Sudan, and in this regard;

(*a*) Requests the High Commissioner to submit an interim report on the human rights situation in South Sudan for discussion by the panel;

(*b*) Also requests the High Commissioner to invite the Government of South Sudan, the Chairperson of the African Union Commission of Inquiry for South Sudan, the Chief Mediator of the Intergovernmental Authority on Development, the Special Representative of the Secretary-General for South Sudan and the Chairperson of the South Sudan Human Rights Commission;

(*c*) Further requests the High Commissioner to prepare a report on the panel discussion in the form of a summary and to submit it to the Human Rights Council at its twenty-eighth session;

10. *Requests* that the High Commissioner be provided with all necessary and appropriate resources to fulfil this mandate.

40th meeting
27 June 2014

[Adopted without a vote.]

United Nations A/HRC/RES/26/32*

General Assembly

Distr.: General
16 July 2014
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Original: French

Human Rights Council
Twenty-sixth session
Agenda item 10
Technical assistance and capacity-building

Resolution adopted by the Human Rights Council

26/32
Capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and relevant human rights treaties,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also Human Rights Council resolutions 5/1, on institution-building of the United Nations Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, both of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further Council resolutions S-14/1 of 23 December 2010 and 16/25 of 25 March 2011, on the situation of human rights in Côte d'Ivoire, and its resolutions 17/21 of 17 June 2011, establishing the mandate of the Independent Expert on the situation of human rights in Côte d'Ivoire, and 20/19 of 6 July 2012 and 23/22 of 14 June 2013 renewing the mandate of the Independent Expert,

Reaffirming that all States have a responsibility to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations, the Universal Declaration of Human Rights, the international covenants on human rights and other relevant human rights instruments,

Welcoming the establishment of the National Programme for Social Cohesion, the action taken under that programme and the renewal of the mandates of the Dialogue, Truth and Reconciliation Commission and the Special Investigation Unit,

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* Reissued for technical reasons.

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Noting that the situation of human rights in Côte d'Ivoire has improved significantly, as evidenced by the progress reported at the press conference given by the Special Representative of the Secretary-General for Côte d'Ivoire on 4 June 2014, and that the situation nevertheless remains fragile, given the numerous challenges, notably the restoration of peace, national reconciliation and combating impunity, as well as reform of the security sector,

Concerned at the continuing sporadic armed attacks on the Forces républicaines de Côte d'Ivoire in the exercise of their mandate to protect civilians,

1. *Condemns* the attacks by unidentified armed groups in Côte d'Ivoire, which are liable to thwart the joint efforts of the Ivorian people and the international community to bring security and peace to the country and definitively overcome the effects of the post-election crisis;

2. *Welcomes* the substantial improvement in security matters in Côte d'Ivoire, as well as the work of the Special Investigation Unit and the National Security Council, particularly with regard to their roles in early warnings and the prevention of human rights violations;

3. *Also welcomes* the exemplary and continuing cooperation of the Government of Côte d'Ivoire with the United Nations human rights machinery and its commitment to promoting and protecting human rights, and encourages the continuation of efforts to end all human rights violations, prosecute the perpetrators of such acts and help victims;

4. *Applauds*, in this regard, the continuing work in the political framework for ongoing dialogue aimed at facilitating inclusive political pluralism, the continuing cooperation with the International Criminal Court and the adoption of new legislation, notably in the area of family law providing for equal rights between men and women in marriage, which constitute important progress in strengthening the legislative framework and thus in promoting and protecting human rights and ending impunity;

5. *Welcomes* the resumption of criminal trials throughout the national territory after a 16-year hiatus;

6. *Notes* the continuing trial of some members of the Forces républicaines de Côte d'Ivoire and the holding in Abidjan, from 12 to 14 February 2014, of an international conference on the situation of victims of the Ivorian crisis, organized by the Independent Expert on the situation of human rights in Côte d'Ivoire;

7. *Applauds* the reform of the Independent Electoral Commission, established after broad consultations with all stakeholders, the provisional release of many of those who were detained after the post-electoral crisis, the unfreezing of their assets and the gradual restitution of their property;

8. *Takes note* of the reports and recommendations of the Independent Expert on the situation of human rights in Côte d'Ivoire[1] and his oral statement at the 35th meeting of the twenty-sixth session of the Council, to the effect that this would be his last report, and thanks him for his commitment to the mandate since his appointment;

9. *Applauds* the commitments made by the Government of Côte d'Ivoire at the Council's sessions to endorse the Independent Expert's recommendations, particularly those relating to rebuilding democracy, combating impunity through the justice system and strengthening inclusive political pluralism and cultural and religious pluralism;

[1] A/HRC/25/73 and A/HRC/26/52.

10. *Also applauds* the fruitful cooperation between the Government of Côte d'Ivoire and the Independent Expert in the discharge of his mandate;

11. *Acknowledges with appreciation* the relevance of the conclusions and recommendations of the National Commission of Inquiry in Côte d'Ivoire responsible for investigating the facts and circumstances surrounding the allegations of serious abuses and human rights violations in Côte d'Ivoire following the presidential election of 28 November 2010;

12. *Takes note* of the endorsement of the Commission's recommendations by the Government of Côte d'Ivoire and encourages the significant action taken to put them into effect;

13. *Applauds* the efforts of the Government of Côte d'Ivoire to ratify international and regional human rights instruments, and encourages it to continue to take action and pursue its efforts to put those instruments into effect, to comply with the related reporting requirements and to promote and reinforce human rights education;

14. *Urges* the Government of Côte d'Ivoire and all the actors concerned to support the effective implementation of the mandate of the Dialogue, Truth and Reconciliation Commission, and invites the Commission to do all that it can to meet the expectations of the Ivorian people and the international community in terms of redress and non-repetition;

15. *Notes with concern* the continuing instability of the humanitarian situation on the ground, and calls on United Nations agencies and other relevant actors to continue, at the request of the Government of Côte d'Ivoire, to provide assistance to refugees and internally displaced persons, in conformity with the measures put in place by the Government, so as to encourage their voluntary return to their homes in conditions of safety and dignity;

16. *Also notes with concern* the recurring allegations of violence against women and children, and requests the Government of Côte d'Ivoire to do all it can to investigate such allegations;

17. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide the technical assistance requested by the Government of Côte d'Ivoire, including support for the Dialogue, Truth and Reconciliation Commission, and to work with it to identify other areas of assistance that will help Côte d'Ivoire to meet its human rights obligations;

18. *Requests* the international community to continue to support the reconstruction and reconciliation process under way in Côte d'Ivoire, and to provide the assistance requested in the specific areas in which such assistance is necessary, including in strengthening the capacity of the mechanisms for combating violence against women and children;

19. *Calls upon* the international community to support the national efforts made by Côte d'Ivoire and its institutions to improve the human rights situation in the country, and to respond to its requests for technical assistance in the humanitarian, educational, health, economic and social spheres;

20. *Also calls upon* the international community to support the new National Human Rights Commission through technical assistance and capacity-building programmes, with a view to enabling it to contribute effectively to the promotion and protection of the fundamental rights of the Ivorian people, in accordance with the Paris Principles;

21. *Decides* therefore to establish a new mandate on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights, to follow on from the previous mandate, for a period of one year, renewable, from the twenty-sixth to the twenty-ninth sessions of the Human Rights Council;

22. *Requests* the Independent Expert to submit a report to the Human Rights Council at its twenty-eighth session and his or her final recommendations at its twenty-ninth session;

23. *Decides* to remain seized of this matter.

40th meeting
27 June 2014

[Adopted without a vote.]